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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,823	04/06/2000	Stephane Herman Maes	YO999-478	9287

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EXAMINER	
BLAIR, DOUGLAS B	

ART UNIT	PAPER NUMBER
2442	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/544,823	MAES ET AL.	
	Examiner	Art Unit	
	DOUGLAS B. BLAIR	2442	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 December 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-91* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32,34-37,40-76,78-81,83-87 and 89-91* is/are rejected.

7)☒ Claim(s) *33, 38, 77, 82, and 88* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/23/2008 have been fully considered but they are not persuasive.

With respect to Papierniak the rejection is withdrawn because of the applicant's arguments and also because Papierniak does not explicitly teach or suggest transcoding on a component by component basis as claimed and disclosed by the applicant.

As to Abrams, the applicant's arguments illustrate a lack of understanding of the reference. The Abstract clearly explains that the UIML insulates the interface designer from the peculiarities of different appliances through style sheets. The reference only states that the <style> section is part of UIML but it does not state that it is sent as part of the interface as part of the application. From the abstract it is clear that the contrary happens and that the <style> section, explained in the reference, only shows how style sheets would be implemented. The applicant's arguments rely on an interpretation that is not supported in any way by the disclosure of Abrams.

With respect to the dependent claims, these rejections have been revised.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 6-7, 29-30, 35-37, 39-48, 50, 51, 73, 74, 79-81, 83-87,and 89-91 are rejected under 35 U.S.C. 102(a) as being anticipated by the article entitled "UML: An Application-Independent XML User Interface Language" by Abrams et al..

Abrams teaches the invention as claimed (As in exemplary claim 90) including a browser apparatus for use in providing access to an application by a user through one or more computer-based devices, comprising a machine readable medium containing computer executable code which when executed permits the implementation of the steps of: obtaining the application from an application server (Section 2, "Allow efficient download of user interfaces over networks to Web browsers), the application being programmatically represented by interaction that the user is permitted to have with one or more computer-based devices by interaction-based programming components (Section 1), wherein the interaction-based programming components are independent of content/application logic and presentation requirements associated with the application (Section 2, "Create natural separation of user interface from non-interface code"); and transcoding the interaction-based programming components on a component by component basis to generate one or more modality specific renderings of the application on the one or more computer-based devices (Abstract).

As to claim 45, Abrams teaches multiple devices (the abstract discusses devices).

As to claim 46, See Introduction, Abrams discusses the invention as being an interface for web and network applications (servers).

As to claim 47, See page 1669 which talks about the user interface being separate from the non user interface code.

As to claim 48, see first paragraph of the conclusion.

As to claims 50 and 51, see page 1706 for example.

As to claim 73, Abrams teaches a step of providing a mechanism for defining logical input events and the association between the logical input events and physical input events that trigger the defined logical input events (section 3).

As to claim 74, Abrams teaches XSL (see abastract).

As to claims 35, 79, 89, Abrams teaches code for permitting cosmetic altering of a presentational feature associated with one or more modality-specific renderings of an application on one or more computer-based devices in an integrated speech based browsing system (Abstract).

As to claim 80, Abrams teaches a step of including code for permitting changes to rules for transcoding on a component by component basis to generate the one or more modality specific renderings of the application on the one or more computer-based devices (Abstract).

As to claim 81, Abrams teaches a definition of an underlying data model being populated is separated from a markup language defining user interaction (Section 3).

As to claims 83-87, The use of XML for transcoding purposes in Abrams anticipates these features.

As to claims 1-4, 6-7, 29-30, 35-37, 39-43, and 90-91 they are rejected for the same reason as claims 44-48, 50, 51, 73, 74, 79-81, and 83-87.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams.

As to claim 49, Abrams teaches claim 44; however; Abrams does not specifically teach the use of VoiceXML.

Page 2 of the applicant's specification states that VoicXML was well known at the time of the invention and that implementation details were available at a website. Therefore VoiceXML for speech synthesis is nothing more than an obvious design choice.

It would have been obvious for one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Abrams regarding a speech application system with VoiceXML because VoiceXML a well known format for speech synthesis.

As to claim 5, it features the same limitation as claim 49 and is thus rejected for the same reason as claim 49.

Claims 8-28, 34, 52-72, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams in view of U.S. Patent Number 6,269,336 to Ladd et al..

As to claims 52-56, Abrams teaches an generic interface between an application and a device however Abrams does not explicitly teach a dialogues.

Ladd teaches the claimed dialogue elements (col. 12, lines 30-67).

It would have been obvious to one of ordinary skill in the Computer networking art at the time of the invention to combine the teachings of Abrams regarding the transcoding of

application components with the teachings of Ladd regarding the use of dialogue elements because dialogue elements facilitate interaction with a user and an application component.

As to claim 57, Abrams teaches the invention of claim 44 however; Abrams does not explicitly teach the use of conversational gestures.

Ladd teaches interaction-based programming components represent conversational gestures (col. 12, lines 30-67).

It would have been obvious to one of ordinary skill in the Computer networking art at the time of the invention to combine the teachings of Abrams regarding the transcoding of application components with the teachings of Ladd regarding the use of conversational gestures because conversational gestures facilitate interaction with a user and an application component.

As to claim 58, Ladd teaches conversational gestures comprising a gesture for encapsulating contextual informational messages to the user (col. 12, lines 30-67).

As to claim 59, Ladd teaches conversational gestures comprising a gesture for encapsulating contextual help information (col. 12, lines 30-67).

As to claim 60, Ladd teaches conversational gestures comprising a gesture for encapsulating actions to be taken upon successful completion of another gesture (col. 12, lines 30-67).

As to claim 61, Ladd teaches conversational gestures comprising a gesture for encapsulating yes or no based questions (col. 12, lines 30-67).

As to claim 62, Ladd teaches conversational gestures comprising a gesture for encapsulating dialogues where the user is expected to select from a set of choices (col. 12, lines 30-67).

As to claim 63, Ladd teaches a gesture comprising a subelement that represents the set of choices (col. 12, lines 30-67).

As to claim 64, Ladd teaches a gesture comprising a subelement that represents a test that the selection should pass (col. 12, lines 30-67)

As to claim 65, Ladd teaches a gesture comprising a subelement that represents an error message to be presented if the test fails (col. 12, lines 30-67).

As to claim 66, Ladd teaches conversational gestures comprising a gesture for encapsulating rules for validating results of a given conversational gesture (col. 18, lines 56-65).

As to claim 67, Ladd teaches conversational gestures comprising a gesture for encapsulating grammar-processing rules (col. 18, lines 56-65).

As to claim 68, Ladd teaches conversational gestures comprising a gesture for encapsulating dialogues that help the user navigate through portions of the application (col. 12, lines 30-67).

As to claim 69, Ladd teaches conversational gestures comprising a gesture for encapsulating a request for at least one of user login and authentication information (col. 21, lines 25-40).

As to claim 70, Ladd teaches conversational gestures comprising a request for constrained user input (col. 12, lines 30-67).

As to claim 71, Ladd teaches conversational gestures comprising a request for unconstrained user input (col. 12, lines 30-67).

As to claim 72, Ladd teaches conversational gestures comprising a gesture for controlling submission of information (col. 12, lines 30-67).

As to claim 78, it is rejected for the same reasons as claim 57, as conversational gestures are interpreted as natural language.

As to claims 8-28 and 34, they feature the same limitations as claims 52-72 and 78 and are rejected for the same reasons as claims 52-72 and 78.

Claims 31-32 and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams.

As to claim 31, 32, 75 and 76, Abrams does not explicitly teach the use of a Java Bean and Java server pages for transcoding components however Abrams does teach the use of Java.

The use of Java Beans and Java Server pages for transcoding is considered to be an obvious design choice. If it were not obvious on how to implement such a feature to one of ordinary skill then the applicant's specification would have had to provide some details in order to meet the enablement requirement. As it stands the applicant's specification provides minimal details on the subject (See page 45 of the applicant's specification).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Abrams regarding an extensible system with the Java and Java Beans because Java provides multi-platform functionality to an application.

As to claims 31-32, they feature the same limitations as claims 75-76 and are rejected on the same basis as claims 75-76.

Allowable Subject Matter

Claims 33, 38, 77, 82, and 88 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: With respect to claims 38 and 82, the prior art does not teach or suggest a node_id attribute as claimed. With respect to claims 33, 77, and 88, the prior art does not teach or suggest any synchronization between modalities as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS B. BLAIR whose telephone number is (571)272-3893. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Douglas B Blair/
Primary Examiner, Art Unit 2442